

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

Susan Neese, M.D and **James Hurly, M.D.**, on behalf of themselves and others similarly situated,

Plaintiffs,

v.

Xavier Becerra, in his official capacity as Secretary of Health and Human Services; **United States of America**,

Defendants.

Case No. 2:21-cv-00163-Z

DECLARATION OF GENE P. HAMILTON

I, Gene P. Hamilton, being duly sworn, state as follows:

1. My name is Gene P. Hamilton. I am over 18 years old and fully competent to make this declaration.
2. I have personal knowledge of the facts stated in this declaration, and all of these facts are true and correct.
3. I represent plaintiffs Susan Neese and James Hurly in this litigation, and I submit this declaration in support of their reply brief in support of the motion for class certification.
4. The following materials attached as exhibits to the reply brief are authentic copies of pages from public websites that were downloaded as PDF files on September 9, 2022.
 - a. Attached as Exhibit 1 is a copy of the civil docket sheet as of September 9, 2022, for *American College of Pediatricians, et al. v. Becerra, et al.*, No. 1:21-cv-00195 (E.D. Tenn.).

- b. Attached as Exhibit 2 is a copy of the amended complaint in *American College of Pediatricians, et al. v. Becerra, et al.*, No. 1:21-cv-00195 (E.D. Tenn.), ECF No. 15.
- c. Attached as Exhibit 3 is a copy of the declaration of Mario Dickerson filed in *American College of Pediatricians, et al. v. Becerra, et al.*, No. 1:21-cv-00195 (E.D. Tenn.), ECF No. 15-2.
- d. Attached as Exhibit 4 is an article published by the Catholic Review on August 27, 2021, entitled “Catholic Medical Association joins lawsuit over HHS ‘transgender mandate,’” and available at <https://bit.ly/3L2LrI8>.

This concludes my sworn statement. I declare under penalty of perjury that the facts stated in this declaration are true and correct.

Dated: September 9, 2022

DocuSigned by:

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GENE P. HAMILTON